

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

Peter St. Laurent

DEFENDANTS

United Parcel Service, Inc.

04 11951 NG

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Bristol
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Seth J. Elin, Esq.
Keches & Mallen, P.C.
122 Dean Street
Taunton, MA 02780
508-822-2000

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT New York
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED

ATTORNEYS (IF KNOWN)

Hugh F. Murray, III, Esq.
Laurie Alexander-Krom, Esq.
Murtha Cullina LLP
Boston, MA 02110
617-457-4000

II. BASIS OF JURISDICTION

(PLACE AN X IN ONE BOX ONLY)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

| | PTF | DEF | PTF | DEF |
|---|---------------------------------------|----------------------------|---|--|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY. The Plaintiff has filed a discrimination in employment claim in State Court under Mass. Gen. L. ch. 151B. Plaintiff claims he was discriminated on account of disability. UPS removes this case pursuant to 28 USC §§ 1441 and 1446.

V. NATURE OF SUIT

(PLACE AN X IN ONE BOX ONLY)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|--|--|--|
| <input type="checkbox"/> 110 Insurance | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 610 Agriculture | <input type="checkbox"/> 422 Appeal | <input type="checkbox"/> 400 State Reapportionment |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 620 Food & Drug | <input type="checkbox"/> 423 Withdrawal | <input type="checkbox"/> 410 Antitrust |
| <input type="checkbox"/> 130 Miner Act | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 630 Liquor Laws | <input type="checkbox"/> 28 USC 157 | <input type="checkbox"/> 430 Banks and Banking |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 330 Federal Employers Liability | <input type="checkbox"/> 640 R.R. & Truck | <input type="checkbox"/> 450 Commerce ICC Rates, etc | |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 650 Airline Regs | <input type="checkbox"/> 460 Deportation | |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 660 Occupational Safety Health | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations | |
| <input type="checkbox"/> 152 Recovery of Detained Student Loans (Excl. Veterans) | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 690 Other | <input type="checkbox"/> 810 Selective Service | |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 850 Securities Commodities/ Exchange | |
| <input type="checkbox"/> 160 Stockholders Suits | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 720 Labor/Mgmt Relations | <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 | |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 411 Voting | <input type="checkbox"/> 730 Labor Mgmt Reporting & Disclosure Act | <input type="checkbox"/> 891 Agricultural Acts | |
| <input type="checkbox"/> 195 Contract Product Liability | <input checked="" type="checkbox"/> 442 Employment | <input type="checkbox"/> 740 Railway Labor Act | <input type="checkbox"/> 892 Economic Stabilization Act | |
| <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 443 Housing Accommodations | <input type="checkbox"/> 790 Other Labor Litigation | <input type="checkbox"/> 893 Environmental Matters | |
| <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 444 Welfare | <input type="checkbox"/> 791 Emp. Ret. Inc. Security Act | <input type="checkbox"/> 894 Energy Allocation Act | |
| <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 445 Other Civil Rights | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 895 Freedom of Information Act | |
| <input type="checkbox"/> 240 Torts to Land | | <input type="checkbox"/> 871 IRS—Third Party | <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice | |
| <input type="checkbox"/> 245 Tort Product Liability | | <input type="checkbox"/> 26 USC 7609 | <input type="checkbox"/> 950 Constitutionality of State Statutes | |
| <input type="checkbox"/> 290 All Other Real Property | | | <input type="checkbox"/> 890 Other Statutory Actions | |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | | |
| | <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 510 Motions to Vacate Sentence | | |
| | <input checked="" type="checkbox"/> 442 Employment | <input type="checkbox"/> 530 Habeas Corpus | | |
| | <input type="checkbox"/> 443 Housing Accommodations | <input type="checkbox"/> 540 Mandamus & Other | | |
| | <input type="checkbox"/> 444 Welfare | <input type="checkbox"/> 550 Civil Rights | | |

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 another district (specify) 6 Multidistrict Litigation

Appeal to District
 7 Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
 UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint
JURY DEMAND: YES NOVIII. RELATED CASE(S)
IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

9/8/04

SIGNATURE OF ATTORNEY OF RECORD

Laurie Alexander-Krom

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY)
Peter St. Laurent vs. United Parcel Service, Inc.

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- XX IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.

3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

N/A

4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?

YES NO

5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)

YES NO

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?

YES NO

6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?

YES NO

7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).

YES NO

A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?

EASTERN DIVISION CENTRAL DIVISION WESTERN DIVISION

B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?

EASTERN DIVISION CENTRAL DIVISION WESTERN DIVISION

(PLEASE TYPE OR PRINT)

| | | |
|-----------------|--|---|
| ATTORNEY'S NAME | Hugh F. Murray, III, Esq. Laurie Alexander-Krom, Esq. | Seth J. Elin, Esq. |
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